

*Reviewed
1/4/16*

Wetlands Bureau Decision Report

Decisions Taken
12/28/2015 to 01/03/2016

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

Any party aggrieved by a decision may file an appeal within 30 days of the date of this decision as specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Wetlands Council, Env-WtC 100-200.

The appeal must be filed directly with the Council, c/o the Council Appeals Clerk, who may be contacted at (603) 271-6072 or at appeals@des.nh.gov. The notice of appeal must set forth fully every ground upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the council.

MAJOR IMPACT PROJECT

2015-02005 NH DEPT OF ENVIRONMENTAL SERVICES
NOTTINGHAM Mendums Pond

Requested Action:

An amendment request received on December 2, 2015, requested to impact an additional 12,720 sq. ft., 620 sq. ft. permanent and 12,100 sq. ft. temporary, of the outlet of Mendum's Pond to construct a cut-off wall along the upstream face of the dam, move the temporary upstream cofferdam further upstream, installation of a temporary rock weir with a 36" bypass pipe, and move the new low level outlet further downstream.

APPROVE AMENDMENT:

Temporarily impact 30,100 square feet and permanently impact 9,220 square feet at the outlet of Mendum's Pond to conduct necessary repairs on a high hazard dam, including construction of temporary upstream earthen coffer dam and rock weir with a 36" bypass pipe, and permanent construction of a new cut-off wall, a new low level outlet, a new primary spillway with concrete retaining walls and rip rap outlet stabilization, and embankment reconstruction of downstream face.

With Conditions:

1. AMENDED: All work shall be in accordance with plans by NH Department of Environmental Services - Dam Bureau dated December 2015, and revised through December 21, 2015 as received by the NH Department of Environmental Services (DES) on December 21, 2015, with respect to impacts in wetlands jurisdiction. The permit is further contingent upon receipt of final design plans for completion of the record, and which do not change the wetlands impact approved herein.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during drawdown, and drawdown must be not exceed October 15, unless otherwise specified by NH Fish & Game Department, in order to ensure protection of State-listed aquatic species, particularly Blandings and Spotted turtles.
4. This permit is contingent upon coordination with NH Natural Heritage Bureau relative to water levels and protection of the State-listed plant species ovoid spike sedge.
5. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain in place until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
9. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
10. Temporary cofferdams shall be entirely removed immediately following construction.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 ft. of undisturbed vegetated buffer.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

- 16. Silt fencing must be removed once the area is stabilized.
- 17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
- 18. Faulty equipment shall be repaired prior to entering jurisdictional areas.
- 19. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
- 20. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:
DES reaffirms finding no.'s 1 - 7:

- 1. This is a major impact project per Administrative Rule Env-Wt 303.02(c), alteration of greater than 20,000 square feet in the aggregate of non-tidal wetlands.
- 2. Compensatory mitigation is not required for this project, pursuant to Env-Wt 302.02(c)(2)c., and Env-Wt 302.02(d).
- 3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. This high hazard dam, built 175 years ago, has leakage and stability issues, and the project represents necessary repairs and reconstruction to ensure the structure's safety and functionality.
- 4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The permanent impacts are confined to the general footprint of the existing dam; the earthen coffer dam structure will be temporary and removed upon completion of work.
- 5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project. The applicant has coordinated with NH Fish & Game Department and the Loon Preservation Committee to address State-listed aquatic and waterfowl species; the permit is further conditioned with water drawdown timing requirements and coordination requirements with NH Natural Heritage Bureau with respect to the listed plant species.
- 6. DES Dam Bureau Staff have conducted field inspections of the dam in the course of evaluating the condition of the dam and engineering rthe repair solutions.
- 7. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the resource, as identified under RSA 482-A:1.

MINIMUM IMPACT PROJECT

2010-01584 LED CONSTRUCTION LLC
BELMONT Unnamed Wetland

Requested Action:
Request permit time extension.
Dredge and fill approximately 100 sq. ft. of wetlands to replace an existing 10 in. x 90 ft. culvert with a 24 in. x approximately 90 ft. N12 HDPE culvert, with an associated concrete headwall and flared outlet for construction of an access road to a previously approved residential subdivision.

APPROVE TIME EXTENSION:
Dredge and fill approximately 100 sq. ft. of wetlands to replace an existing 10 in. x 90 ft. culvert with a 24 in. x approximately 90 ft.

N12 HDPE culvert, with an associated concrete headwall and flared outlet for construction of an access road to a previously approved residential subdivision.

With Conditions:

1. All work shall be in accordance with plan sheet C2 by Fluet Engineering Associates, P.C. revision date of January 1, 2011, as received by the NH Department of Environmental Services (DES) January 28, 2010.
2. Work shall be done during low flow.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.
2. This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

2015-01700 CHASE FAMILY REALTY TRUST
SUNAPEE Sunapee Lake

Requested Action:

Replace an existing 12 ft. x 38 ft. 9 in. single slip boathouse, "in kind" on approximately 108 ft. of frontage along on Lake Sunapee, in Sunapee.

APPROVE PERMIT:

Replace an existing 12 ft. x 38 ft. 9 in. single slip boathouse, "in kind" on approximately 108 ft. of frontage along on Lake Sunapee, in Sunapee.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers, sheets C1, SK-2 dated December 02, 2015, as received by DES on December 09, 2015, and sheets A-1.1.1, A-1.3.1, A-3.2.1 dated April 24, 2015, as received by the Department on July 07, 2015.
2. Dewatering of work area shall be in accordance with plan by CLD Consulting Engineers dated December 29, 2015, as received by the Department on December 29, 2015.
3. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permitted shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
4. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
5. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
6. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
7. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
8. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
10. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
11. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Only those structures shown on the approved plans shall be installed or constructed along this frontage.
13. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
14. This permit does not allow dredging of the lakebed for any purpose. Only the interior of the boathouse shall be dredged to the depth of 1090.3 as noted on the approved plans.
15. The permittee may make repairs to the permitted structures as necessary, prior to the permit expiration date, provided that prior to performing any repair the permittee notifies the DES Wetlands Program and the Conservation Commission, in writing, of the proposed start and completion dates
16. The coffer dam shall be completely removed from areas of jurisdiction of RSA 482-A and RSA 483-B upon completion of the project.
17. This permit does not allow the removal of rocks from the lakebed on the lakeward side of the coffer dam.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.
2. The applicant provided a notarized signed letter from the abutter for work within the abutter 20 foot setback.

2015-02613 119 CLAY POINT LLC
ALTON Lake Winnepesaukee

Requested Action:

Proposal to dredge and fill 700 sq. ft. of intermittent stream, Tier One, and associated wetlands to construct a driveway for access to 1-lot of a 2-lot residential subdivision. Work includes installation of a 48 in. x 20 ft. HDPE culvert embedded with natural stream bed materials, associated filling and boulder wing walls.

Conservation Commission/Staff Comments:

On 10/23/2015 the department received comments from the Conservation Commission indicating they have no objection to the project.

APPROVE PERMIT:

Dredge and fill 700 sq. ft. of intermittent stream, Tier One, and associated wetlands to construct a driveway for access to 1-lot of a 2-lot residential subdivision. Work includes installation of a 10 ft. span x 3 ft. rise x 20 ft. run precast concrete box culvert embedded with natural stream bed materials, associated filling and boulder wing walls.

With Conditions:

1. All work shall be in accordance with plans by Beckwith Builders, Inc., revision date 12-21-15, as received by the NH Department of Environmental Services (DES) on December 30, 2015.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. The final surface of the stream channel bed shall be restored at natural grade using natural round stone or existing streambed materials and shall not include angular rip-rap.
7. The channel at the culvert inlet and outlet and recreated stream channel bed must maintain the natural and a consistent streambed elevation and not impede stream flow.
8. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur. A follow-up report shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
9. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
10. Work shall be done during low flow and in the dry only.
11. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
12. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
13. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 14). Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
15. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
16. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
17. Proper headwalls shall be constructed within seven days of culvert installation.
18. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
19. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
20. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(ah) Any project that includes any new stream crossing which qualifies as minimum impact under Env-Wt 903.01(e).

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The watershed area for the proposed stream crossing work is 200 acres.
6. The applicant further minimized impacts by revising the original proposal from a 48 inch x 20 foot HDPE culvert to a 10 foot span x 3 foot rise x 20 foot run box culvert.
7. The approved plans are stamped by a NH licensed professional engineer.
8. The crossing was designed in accordance with Env-Wt 904.02.

FORESTRY NOTIFICATION

2015-03417 FAKHARZADEH, ALI/JAVID
LANCASTER Unnamed Stream

Requested Action:

Lancaster, Tax Map R23, Lots 8A, 11, 12

2015-03419 NH FISH & GAME DEPT
PITTSBURG Unnamed Stream

Requested Action:

Pittsburg, Tax Map F8, Lot 26-NC

2015-03421 YALE UNIVERSITY
SWANZEY Unnamed Stream

COMPLETE NOTIFICATION:

Swanzy, Tax Map #51, Lot #001-008

2015-03443 JARED KING LOGGING LLC
WENTWORTH Unnamed Stream

COMPLETE NOTIFICATION:

Wentworth, Tax Map #1, Lot #2-19

EXPEDITED MINIMUM

2013-02257 SURRY, TOWN OF
SURRY Unnamed Wetland

Requested Action:

Dredge and fill 663 sq. ft. of perennial stream (Black Brook) (including 100 sq. ft. of temporary impacts) to install a 20' x 24" culvert, a 24' x 24" culvert, and a 10'L x 12'W bridge span to replace two existing 24" culverts that were installed without a permit. A Letter of Deficiency had been issued September 11, 2013 and an Administrative Order was issued on April 16, 2014.

APPROVE PERMIT:

Dredge and fill 663 sq. ft. of perennial stream (Black Brook) (including 100 sq. ft. of temporary impacts) to install a 20' x 24" culvert, a 24' x 24" culvert, and a 10'L x 12'W bridge span to replace two existing 24" culverts that were installed without a permit. A Letter of Deficiency had been issued September 11, 2013 and an Administrative Order was issued on April 16, 2014.

With Conditions:

1. All work shall be in accordance with plans by Beaver Tracks, LLC titled Frank Conroy, 25 London Road, Surry, NH, Tax Map 4C Lot 83-1 dated October 16, 2015 as received by the department on December 11, 2015.
2. All site work shall be completed and stabilized by August 1, 2016.
3. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur.
4. The qualified environmental consultant shall inspect the restoration areas, and submit an initial monitoring report with photographs to DES by August 15, 2016. The initial monitoring report shall include, but not limited to, documentation of erosion control deployment, construction sequencing, restoration activities and status of restoration at time of initial monitoring report. Photographs should depict all stages of restoration sequencing.
5. Subsequent monitoring reports shall be submitted to DES by October 30, 2016 to document the success of the restoration and outline a schedule for remedial actions if necessary. Such reports shall be submitted to DES with photographs demonstrating the conditions on the restoration site, include any necessary remedial actions, and contain a schedule for completing the remedial actions and conducting follow-up inspections.
6. Work within the stream shall be conducted during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
7. Siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Erosion, sediment, and turbidity controls shall be installed in accordance with Administrative Order 14-005 WD.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Silt fence shall be placed at the limit of culvert and bridge replacement area disturbance and along the toe of slope adjacent to London Road embankments. Silt fence(s) must be removed once the area is stabilized.
10. There shall be no excavation or operation of construction equipment in flowing water.
11. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
12. Cofferdams shall be installed at the inlet and outlet to isolate the work areas. Dewatering shall be performed to temporary dewatering basins.
13. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
14. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
15. Temporary cofferdams shall be entirely removed immediately following construction.
16. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation for access.

17. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
18. Culverts shall be laid at natural grade and shall not result in a perched condition.
19. Temporary wetland impact areas shall be replanted with like native species.
20. The final surface of the stream channel bed shall be restored at natural grade using rounded natural stream bed materials.
21. No machinery shall be used within undisturbed DES jurisdictional areas on the Property during the restoration.
22. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.
23. Faulty equipment shall be repaired prior to entering jurisdictional areas.
24. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
25. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
26. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
27. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
28. Any further alteration of areas on the properties that are within the jurisdiction of the DES Wetlands Bureau will require further permitting by the Bureau.

With Findings:

1. This is a Minimum impact project per Administrative Rule Env-Wt 303.04(ah), Any project that includes any new stream crossing which qualifies as minimum impact under Env-Wt 903.01(e).
2. The total watershed at the location of the crossing (Black Brook) is 179 acres and is classified as a Tier 1 Stream Crossing per Env-Wt 904.02. The proposed span structure meets the requirements of a Tier 1 stream crossing.
3. The applicant's agent has addressed General Design Considerations for stream crossings per Env-Wt 904.01.
4. A Letter of Deficiency No. LRM 13-019) was issued to the applicant on September 11, 2013 and an Administrative Order (No. 14-005 WD) was issued to the applicant on April 16, 2014 pursuant to RSA 482-A.
5. The permit allows for repairs and restoration of London Road which will facilitate access to private driveways and allow re-establishment of a connection for vehicles.
6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The crossing provides access to residences located along London Road.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
9. The project includes installation of a 20' x 24" culvert, a 24' x 24" culvert, and a 10'L x 12'W bridge span to replace two existing 28' x 24" culverts that were installed without permit. The two 24" culverts were installed to replace a single metal culvert that was previously lost during a previous flood event.
10. The applicant's agent has provided a statement indicating the calculated peak flow to the crossing is 225 cu. ft./sec during a 50-year storm event. The agent provided review of a hydrology report and stated that a 42" (9.6 sq. ft.) culvert will accommodate a 50-year storm event. The proposed span area will be 28 square feet. The proposed bridge span will accommodate a 50-year storm event.
11. Two-24" culverts have been included within the crossing to maintain hydrologic conditions across the wetland and to provide additional flow capacity through the watershed.
12. The applicant's agent has consulted with two bridge experts and confirmed the proposed concrete slab bridge span will structurally handle a fire truck when the span is 7 feet.
13. The stream bed through the bridge span shall be constructed of natural stream bed materials placed at existing grade.
14. The applicant has provided written permission for work from the two abutments located within 20 of the proposed wetland impacts per Env-Wt 304.04.
15. The Town of Surry has signed the wetland permit application as the property (London Road) owner.
16. The project plans are stamped by a New Hampshire Certified Wetland Scientist ("CWS").
17. The Town of Surry Conservation Commission signed the application on September 21, 2015.
18. The New Hampshire Natural Heritage Bureau (NHB) review indicated there are currently no recorded occurrences for sensitive

species near the project area per letter dated September 14, 2015.

19. Issuance of this permit shall not preclude further enforcement by DES. Failure to comply with the above-referenced regulations may result in further enforcement by DES, including but not limited to issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for imposition of civil penalties. If an order is issued to you, it may be also recorded with the county Registry of Deeds as an encumbrance against your property.

GOLD DREDGE

2015-03433 MIKALOSKY, DARYL
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con. Com.

PERMIT BY NOTIFICATION

2015-03330 ROBERTS, ERNEST/KRISTINE
LOUDON Unnamed Pond

Conservation Commission/Staff Comments:
1. The Conservation Commission signed the PBN form waiving their right to intervene.

PBN IS COMPLETE:
PBN Complete to construct a dry hydrant on an existing fire pond.

With Findings:
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(w) Excavation of less than 10 linear feet within the bank and bed of a surface water that does not exceed 200 square feet in total jurisdictional impact to the bed, for installation of a dry hydrant.

2015-03367 JACKSON, DAVID
WOLFEBORO Lake Winnepesaukee

Requested Action:
Replace existing docking structures in-kind, with no change in location, configuration, construction type or dimensions in accordance with plans by Folsom Design Group dated November 19, 2015.

PBN IS COMPLETE:
Replace existing docking structures in-kind, with no change in location, configuration, construction type or dimensions in accordance with plans by Folsom Design Group dated November 19, 2015.

2015-03402 SAGRIS, SKIP & LAURA ANN
ALTON Lake Winnepesaukee

Requested Action:

Replacement in-kind of six cantilevered poles in existing breakwater with no changes in location, dimension or configuration in accordance with plans dated December 4, 2015.

PBN IS COMPLETE:

Replacement in-kind of six cantilevered poles in existing breakwater with no changes in location, dimension or configuration in accordance with plans dated December 4, 2015.

CSPA PERMIT

2015-03172 BOLDUC, MICHAEL
GILMANTON Sawyer Lake

Requested Action:

Retain 750 sq ft of impacts associated with the construction of a parking area.

APPROVE AFTER THE FACT:

Retain 750 sq ft of impacts associated with the construction of a parking area.

With Conditions:

1. Construction of the 15 ft x 50 ft parking area shall be maintained as shown on the as-built plan received by Department of Environmental Services on November 25, 2015.
2. All future activities on this property shall be conducted in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner shall be responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

2015-03210 JUDITH R BREED REVOCABLE TRUST
NEW LONDON Sunapee Lake

Requested Action:

Impact 6,377 sq ft in order to reduce the impervious driveway, replace retaining wall, install a stormwater catch basin and regrade, and retain the construction of a ramp with stairs leading to the house.

APPROVE PERMIT:

Impact 6,377 sq ft in order to reduce the impervious driveway, replace retaining wall, install a stormwater catch basin and regrade, and retain the construction of a ramp with stairs leading to the house.

With Conditions:

1. All work shall be in accordance with revised plans by Pellettieri Associates, Inc. dated November 13, 2015 and received by the

NH Department of Environmental Services (DES) on December 1, 2015.

2. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
3. No more than 22.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 330 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2015-03236 FOLEY, MICHAEL K/HOLLY A
LACONIA Winnisquam Lake

Requested Action:

Impact 11,352 sq ft in order to remove a deck and patio; replace with smaller patio and plantings; replace existing walkway and driveway with a new reconfigured pervious walkway and driveway; convert garage into a bunkhouse.

APPROVE PERMIT:

Impact 11,352 sq ft in order to remove a deck and patio; replace with smaller patio and plantings; replace existing walkway and driveway with a new reconfigured pervious walkway and driveway; convert garage into a bunkhouse.

With Conditions:

1. All work shall be in accordance with revised plans by dp Landscaping LLC dated November 25, 2015 and received by the NH Department of Environmental Services (DES) on December 3, 2015.
2. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
3. No more than 19.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 1,126 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or

contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2015-03248 MCGRATH, JOAN/MICHAEL
FREEDOM Ossipee Lake

Requested Action:

Impact 3,540 sq ft in order to construct a 3 bedroom house and driveway, cut trees within the waterfront buffer, incorporate stormwater management, install a well and septic system.

APPROVE PERMIT:

Impact 3,540 sq ft in order to construct a 3 bedroom house and driveway, cut trees within the waterfront buffer, incorporate stormwater management, install a well and septic system.

With Conditions:

1. All work shall be in accordance with plans by Mark E. McConkey dated November 24, 2015 and received by the NH Department of Environmental Services (DES) on December 4, 2015.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
4. No more than 18% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. At least 2,522 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2015-03250 LAROCHELLE, JOHN
ANTRIM Franklin Pierce Lake

Requested Action:

Impact 4,525 sq ft in order to raze existing structure and construct a new dwelling. Project includes the installation of a new septic system and lot improvements.

APPROVE PERMIT:

Impact 4,525 sq ft in order to raze existing structure and construct a new dwelling. Project includes the installation of a new septic system and lot improvements.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated November 12, 2015 and received by the NH Department of Environmental Services (DES) on December 4, 2015.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
4. No more than 25.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
12. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2015-03255 JANINE M PARKINSON REV TRUST OF 1999
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Impact 267 sq ft in order to add an addition to a nonconforming structure and incorporate stormwater management.

APPROVE PERMIT:

Impact 267 sq ft in order to add an addition to a nonconforming structure and incorporate stormwater management.

With Conditions:

1. All work shall be in accordance with plans by Joanne K. Coppinger, P.E. dated December 2, 2015 and received by the NH Department of Environmental Services (DES) on December 7, 2015.
2. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
3. No more than 13.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 8,565 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the

site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2015-03257 GUARINO, THOMAS
SANDOWN Phillips Pond

Requested Action:

Impact 3,288 sq ft in order to rebuild existing structure further from the reference line, install a new septic system, and construct a detached garage.

APPROVE PERMIT:

Impact 3,288 sq ft in order to rebuild existing structure further from the reference line, install a new septic system, and construct a detached garage.

With Conditions:

1. All work shall be in accordance with plans by Civil Construction Management, Inc. dated November 22, 2015 and received by the NH Department of Environmental Services (DES) on December 7, 2015.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
4. No more than 19.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. At least 2,027 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2015-03424 WOODS, WILLIAM/LINDA
NEW LONDON Little Sunapee Lake

Requested Action:

Impact 8,472 sq ft in order to expand a driveway and regrade lot in order to add a lawn in a previously altered area.

APPROVE PERMIT:

Impact 8,472 sq ft in order to expand a driveway and regrade lot in order to add a lawn in a previously altered area.

With Conditions:

1. All work shall be in accordance with plans by A & A and Sons Landscaping, Inc. dated December 2015 and received by the NH Department of Environmental Services (DES) on December 8, 2015.
2. No more than 14.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

EMERGENCY AUTHORIZATION

2015-03438

MARCONI, FRANCESCA/GENO

PORTSMOUTH

Requested Action:

Emergency repair of 22 linear feet of failing granite block seawall on the back channel of the Piscataqua River, adjacent to and supporting an existing restaurant structure.

Inspection Date: 12/31/2015 by Dori A Wiggin

CONFIRM EMERGENCY AUTHORIZATION:

Emergency repair of 22 linear feet of failing seawall on the back channel of the Piscataqua River, adjacent to and supporting an existing restaurant structure.

With Conditions:

1. The party receiving this authorization shall submit to appropriate staff at the DES Pease District Office for approval detailed repair methodology information, including a plan, construction sequence, erosion/siltation controls, photos and other documentation as necessary to depict conditions in the field relative to the execution of the emergency work to which this emergency authorization shall apply prior to the start of construction.
2. An after-the-fact application with all standard application materials, notifications and fees shall be submitted to address this work no later than January 20, 2016.
3. Erosion controls shall be properly installed and maintained and the construction sequence shall be performed in accordance with the approved plans. It is the responsibility of the permittee to ensure that the erosion controls are adequate for the site.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
6. Faulty equipment shall be repaired prior to entering jurisdictional areas.
7. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

8. All refueling of equipment shall occur outside of surface waters or wetlands.
9. The owner shall notify the municipal Conservation Commission and Board of Selectmen prior to the start of work.
10. This form shall be posted at the work site in a location that is visible to the public (to the extent possible).

